

NORTHERN IRELAND FORUM

David Trimble, M. P.
Ulster Unionist Party
3rd Floor
Castle Buildings
Stormont
Belfast

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Senator George Mitchell
5th Floor
Castle Buildings
Stormont
Belfast

Dear Senator Mitchell

I enclose a proposed agenda for the remainder of the opening plenary session and proposed procedural rules to replace procedural guidelines.

I assume that notwithstanding the deadline this afternoon you will be open to second thoughts and better thoughts next week as well as amendments prompted by consideration of the papers submitted by other parties.

The paper agreed on 12th June related specifically to "the procedural guidelines". We have interpreted these as being the "Proposed Guidelines for the Conduct of Substantive Multi-Party Negotiations" in pages 8 to 16 of the paper annexed to the Secretary of State - letter of 6th June. Those guidelines are founded on the Command Paper 3232 known as Ground Rules. The latter appears to be outside the review we will conduct next week but within the Agenda for the remainder of the opening Plenary Session. We consider the Ground Rules to be defective with regard to the so-called Third Strand and we will be seeking amendments there, together with a re-structuring of the way the issues covered by the three strands are dealt with. We have not introduced these matters at this stage, as they will be considered later in Plenary. But if the changes we have in mind for Ground Rules are adopted there will then have to be some consequential changes to the procedural guidelines particularly with regard to the liaison arrangements for Strand Three.

I am content for you to copy this letter to other parties.

Yours sincerely,

David Trimble

DAVID TRIMBLE

AGENDA FOR THE OPENING PLENARY SESSION OF MULTI PARTY

SUBMISSION BY THE ULSTER UNIONIST PARTY

1 Confidence Building Measures

Discussion of :-

- (a) International Body's proposals on decommissioning
- (b) Practical steps for implementation of decommissioning
- (c) Special provisions to relate to parties joining negotiations at a later date.
- (d) Methods of gauging acceptability of proposals from discussions to the people of Northern Ireland.
- (e) Acceptance by all participants of the principle of the consent of the people of Northern Ireland to any outcome of the present discussion.

2 Decisions on mechanisms to implement commitments to decommissioning

3 Establishment of Verification Commission

4 Business Committee -

Appointment of Business Committee

5 Opening statements by the leaders of participating delegations

6 Discussion of agenda for negotiation and other procedural matters

7 Adoption of Agenda and Procedures

8 Concluding remarks by the Chairman and hand over to Secretary of State for commencement of Strand One .

Mr Harry Bolkeri (Alternate Chairman for Plenary, Business Committee, and Strand Two)

ROLE AND RESPONSIBILITY OF THE CHAIRMEN

5 The designated Chairman shall preside over all the business of the negotiations and will exercise their functions impartially at all times.

6 The Chairman will moderate in all meetings to allow an opportunity for full discussion of issues on the agenda, guided by the aim of securing agreement of as broad a spectrum of participants as is possible .

7 All Chairmen will agree to operate within these procedural guidelines and will consult with the Business Committee on the arrangement of business and exercise of their functions

8 Chairmen will confine consultation to Delegations participating

PROCEDURAL GUIDELINES FOR THE CONDUCT OF MULTI PARTY NEGOTIATIONS

SUBMISSION BY THE ULSTER UNIONIST PARTY

1 These guidelines shall ,subject to the provision for amendment contained in these rules ,comprise the sole rules of procedure for these discussions .

ORDER OF PROCEEDINGS AND DESIGNATED CHAIRMEN

2 The business of the negotiations will be conducted in the following order

(a) Opening Plenary

(b) Strand One

(c) Strand Two

(d) Strand Three

(e) Closing Plenary

3 There will also be a Business Committee whose role is defined in these procedures .There may also be from time to time further Plenary meetings ,convened according to these procedures. The Participants may also ,with agreement establish committees or sub committees at any stage.

4 The Chairman for each part of the discussions shall be as follows:

Senator George Mitchell (Plenary)

The British Government (Strand One)

General John de Chastelain (Strand Two and the Business Committee)

The British and Irish Governments jointly (Strand Three)

Mr Harry Holkeri (Alternate Chairman for Plenary, Business Committee, and Strand Two)

ROLE AND RESPONSIBILITY OF THE CHAIRMEN

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6 The Chairman will moderate in all meetings to allow an opportunity for full discussion of issues on the agenda, guided by the aim of securing agreement of as broad a spectrum of participants as is possible .

7 All Chairmen will agree to operate within these procedural guidelines and will consult with the Business Committee on the arrangement of business and exercise of their functions

8 Chairmen will confine consultation to Delegations participating

in the relevant Strand or Committee.

9 Chairmen will make no public comment, on the talks, without first having obtained the approval of participating delegation leaders .

10 The Chairman may at any time seek a meeting or accede to a request for a meeting with any participating Delegation.

CONDUCT OF PROCEEDINGS

11 Proceedings will be private and confidential between the participants.

12 The Chairman shall convene , postpone , or adjourn meetings on the basis of proposals of the Business Committee.

13 The Chairman shall prepare the daily business agenda in consultation with the Business Committee .

14 Any remarks shall be addressed through the Chairman of the meeting who may time limit interventions at his discretion .The Chairman's ruling on individual questions of procedure shall be binding .In arriving at such rulings,the Chairman will apply the rules for determining sufficient consensus as set out in paragraphs 27 and 28 .

15 The Plenary Chairman shall convene further plenary meetings at the request of the Business Committee and may do so if he considers such meetings to be necessary in the light of developments in the discussions.

BUSINESS COMMITTEE

16 A Business Committee will be formed comprised of one member from each participating delegation, and a Chairman as outlined in Paragraph 4.

17 The Business Committee will advise the Chairman on the exercise of his functions and will facilitate communication between participating Delegations and the Chairmen.

18 The Business Committee will normally meet on the same day as talks take place.

19 The Business Committee shall determine the venues for meetings.

THE AGENDA

20 Delegations will adopt an agenda in the Opening Plenary Session, which they may only amend by unanimous agreement of the participants.

21 The agenda for each meeting shall be drawn up by the Business Committee , but this agenda must comply with the overall agenda agreed at the Opening Plenary Session .

DEFINITION AND METHOD OF REACHING AGREEMENT

22 Negotiations will operate on the basis of the principle of consensus .Consensus should be on the basis of unanimity. The Chairman shall seek unanimity for all decisions .

23 In the event of absence of agreement, the participants may

- (a)invite the Chairman to put forward ideas or
- (b)refer the matter to a panel of experts or the Forum or
- (c)request the Business Committee to establish a working group.

24 Any proposal emerging from any of the three processes outlined in paragraph 23 ,must be agreed by the participating Delegations to become a valid decision .

25 The Participating groups may agree to request a report on any subject from the Forum .Such agreement to be reached by the process known as sufficient consensus detailed in paragraphs 27 and 28.The Forum itself,not withstanding any Forum rule shall adopt such report by unanimity or sufficient consensus.

26 In the event of the forgoing provisions, in any part of the negotiation process referred to in paragraph 28,failing to produce unanimity on the issue in dispute ,the issue shall then be determined by sufficient consensus as defined in paragraphs 27 and 28 . In the event that no consensus can be found then the Chairman , with the agreement of the Business Committee, may decide to move on to the next item on the agenda .

27 A proposition will be deemed to have sufficient consensus when supported by participating parties which shall have obtained a clear majority of the valid votes cast in the Northern Ireland Forum elections of 30th May 1996 ,and which between them represent majorities of the Unionist and Nationalist sections of the people of Northern Ireland.

28 Sufficient consensus shall apply to all decisions taken in Plenary Sessions , the Business Committee , and in Strand One, together with any of any committee or sub committee of the aforementioned. .It will also be necessary in any decision to move to next business on the agenda .For sufficient consensus to have been obtained , the agreement of H.M. Government is also required.

REFERAL OF ISSUES TO THE FORUM

29 Negotiating teams may by agreement direct the relevant Chairman of the format in question to request a report from the Forum , provided that it does not contravene the rules of procedure of the Forum .

LIAISON ARRANGEMENTS WITH H.M. GOVERNMENT IN RELATION TO STRAND THREE

30 H.M. Government will keep the participating delegations informed of the progress achieved in Strand Three through liaison arrangements agreed by the Business Committee .

31 Participating Delegations may submit their own views on any issue relevant to Strand Three .Both Governments will respond jointly to any such input.

32 The proposals emerging from Strand Three will be considered by all the participating delegations , in the same manner as proposals emerging from Strands One and Two .

RECORDS AND MINUTES

33 H.M. Government will provide a team of civil servants for the purpose of taking the record of all Plenary Sessions, the Business Committees, Strand One and Strand Two meetings, and any committees or sub-committees established within these formats. Note taking arrangements for meetings falling outside the above shall be at the discretion of the relevant Chairman.

34 A minute of proceedings will be circulated to participating delegates only by the Chairman and the Business Committee shall be responsible for the approval of all such minutes .

ALTERATION OF RULES OF PROCEDURE

35 These procedural guidelines shall only be amended by a unanimous vote of all participating Delegations .

TIMING OF NEGOTIATIONS

36 Any meeting of the negotiations shall take place only on Mondays, Tuesdays and Wednesdays.